

**MINUTES OF THE
BOARD OF POLICE COMMISSIONERS MEETING
MONDAY, NOVEMBER 25, 2013**

A meeting of the Board of Police Commissioners of Kansas City, Missouri was held on Monday, November 25, 2013, at the Regional Police Academy, 6885 N.E. Pleasant Valley, Kansas City, Missouri.

PRESENT:

Commissioner Alvin L. Brooks, President
Commissioner Michael C. Rader, Vice President
Commissioner Angela Wasson-Hunt, Treasurer
Mayor Sylvester “Sly” James, Jr., Member
Darryl Forté, Chief of Police
Mr. David V. Kenner, Secretary/Attorney

EXCUSED:

Commissioner Lisa Pelofsky

This meeting was called to order at 9:14 p.m. by Commissioner Brooks.

The invocation was provided by Pastor Ken Ray.

1. Awards and commendations.

The Certificate of Appreciation was presented to Mr. Christopher Buck, Loss Control Manager for Enterprise Leasing Company. He regularly provides valuable information to detectives for investigations conducted by the Violent Crimes Unit.

The Certificate of Appreciation was presented to Mr. Tommie Hill, Manager of Road Supervision for KCATA. When requested, Mr. Hill provides the Violent Crime Unit with copies of KCATA bus video for the investigation of crimes.

Master Detective Matthew “Buck” Williams received the Meritorious Service Award for his exemplary service and long term professionalism. Master Detective

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Williams completed 10 years of service in the Homicide Unit and investigated more than 250 murder cases and more than 300 death investigations. He was involved in several high profile murder cases and has experience with several Metro Squad investigations.

Officer Kevin White received the Lifesaving Award for preventing a man from bleeding to death by applying pressure to the wound. The man was ultimately transported to the hospital for surgery. The man had been stabbed during a robbery and left for dead.

The meeting took a recess at 9:22 a.m. and resumed at 9:30 a.m.

2. City Architects report. Mr. Eric Bosch provided the Board with an update on current police department construction projects.

Mr. Bosch said the groundbreaking ceremony for EPD and the crime lab was a success.

He said demolition has begun, trees have been cut down and the trees of any magnitude that are cut down will go to Urban Lumber Company for recycling. These trees will be converted to lumber that will be used in the construction.

He said he hopes to present the design plans to the Board in December or January.

Mr. Bosch said a lot of progress has been done at police headquarters. The carpet and ceilings are finished on floors 6 and 7. The furniture will go in soon. Renovations on floors 2 and 4 will begin next week.

J.E. Dunn continues to work on the new Board room and the outside of headquarters.

Mr. Bosch said he sent out an RFQ for architects for the new NPD. Eight submittals were returned and Treanor Architects was chosen. Commissioner Wasson-

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Hunt asked about the site for the new NPD. Mr. Bosch said the City and police department will work with Treanor Architects to determine what size the building needs to be then a site will be determined.

3. Approval of minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Rader to approve the minutes of the October 31, 2013, Board meeting. The vote was 4-0 in favor.

4. Chief Darryl Forté. Chief Forté said he attended seven meetings this month where he was the speaker.

Chief Forté said he recently conducted an organizational development meeting with the commanders, managers, and directors that included a panel of disabled persons. The panel shared their thoughts and experiences with the command staff and provided insight into how we might best treat people with disabilities. He said the police department is working to hire people with disabilities for appropriate positions.

Chief Forté commended Deputy Chief Kuehl and all staff who provided security during the National Socialist Movement rally held in Kansas City.

Chief Forté briefly discussed the press conference held at the Jackson County Prosecutor's Office on November 22, 2013, which addressed the conviction of Officer Carl Counti. Commissioner Brooks commended the Chief for the expeditious manner in which the case was handled.

5. Professional Development and Research Bureau.

Deputy Chief Rose submitted the basic training class summary dated November 18, 2013. She said the 149th Entrant Officer Class will graduate on December 12, 2013.

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Deputy Chief Rose presented the following consent agenda items for approval:

- a. Project #368, Educational Initiative (Z), Extra (E), Personnel Leave (Y), Quality Time (Q), and Religious Holiday Time.

A motion was made by Commissioner Rader with a second by Commissioner Wasson-Hunt approving the consent agenda item as presented. The vote was 5-0 in favor.

Deputy Chief Rose pointed out the new mission and vision statements in a framed display. She thanked Cathy Williams, Public Relations Specialist, for her creative talent in developing the graphics for the new mission and vision statements.

6. Administration Bureau.

Deputy Chief Hundley submitted the personnel summary dated November 5, 2013, as an informational item. Current department strength is 1,364 law enforcement personnel compared to 1,363 for this same time period in 2012. Civilian strength is 570 positions compared to 570 positions for the same time period 2012.

7. **Patrol Bureau.** Deputy Chief Kuehl presented the monthly crime summary dated September 2013. A copy of the Crime Summary is marked as Attachment “A” and attached to these minutes. Deputy Chief Kuehl said auto thefts still show a 14 percent increase and said he will continue to track this information to see if it changes with the implementation of new city ordinances related to scrap metal dealers.

With regard to the October 2013 Traffic Summary; there were four fatalities for the month of October. There have been 50 fatalities year-to-date, compared to 50 year-to-date for the same period last year. A copy of the Traffic Summary is Attachment “B” and attached to these minutes.

Deputy Chief Kuehl submitted the October 2013 Executive Summary.

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Deputy Chief Kuehl thanked Major Jim Connelly and Major Shawn Wadle for their proactive planning approach in handling the security for National Socialist Movement rally. Both of them met with the leaders of this group prior to the rally to establish a relationship and set parameters for the event.

Commissioner Rader asked about the status of the red light cameras. Ms. Murray said currently the City is not processing violations and the ordinance has been rewritten. The new ordinance will be presented to the City Council in the near future.

8. Investigations Bureau. Director Doug Wieshar spoke for Deputy Chief Hopkins in his absence. He said there have been 96 homicides to date; compared with 98 for the same time period in 2012.

The police department presented 2,532 cases to the prosecutor and 1,975 were filed.

Year-to-date there have been 198 drive by shootings, compared with 206 for the same period last year.

9. Executive Services Bureau. Deputy Chief Patty Higgins submitted the following items for Board approval:

a. On-duty range fees. A memorandum dated October 23, 2013, was submitted recommending approval to approve a flat \$80 per hour fee for range fees. This fee will be the same for the indoor and outdoor range.

A motion was made by Commissioner Rader with a second by Commissioner Wasson-Hunt approving the new range fee as presented. The vote was 4-0 in favor.

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b. Budget transfers for fiscal year 2013-14. A memorandum dated November 14, 2013, was submitted which outlines the details of these budget transfers. A copy of this memorandum is Attachment "C" and made a part of these minutes.

A motion was made by Commissioner Wasson-Hunt with a second by Mayor James approving the budget transfers as presented. The vote was 4-0 in favor.

c. Adjustment to special revenue accounts for fiscal year 2013-14. A memorandum dated November 14, 2013, was submitted which outlines the details of this adjustment. This item was tabled for discussion in closed session.

d. 2013 COPS Hiring Program Award. A memorandum dated November 13, 2013, was submitted that provided details about the U.S. Department of Justice, Office of Community Oriented Policing Services award that will provide funding for ten (10) new officers. The award is for \$1,806,460 and includes a department match of \$556,460.

Mayor James asked what would happen if these grants were cut back. Deputy Chief Higgins and Major Mozzicato said they have no indication that this will occur.

A motion was made by Commissioner Rader with a second by Commissioner Wasson-Hunt to accept the DOJ COPS Hiring Award in the amount of \$1,806,460. The vote was 4-0 in favor.

e. Bid No. 2014-1, Installation of law enforcement emergency equipment. A memorandum dated November 13, 2013, was submitted to recommend approval for the award of a one-year, sole source, contract to provide law enforcement emergency equipment and installation services to KA-Comm, Inc. The total anticipated expenditure is \$240,000 with a 20 percent contingency.

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Major Mozzicato said the contingency provides for the differing installation costs based on the type of vehicle.

A motion was made by Commissioner Rader with a second by Commissioner Wasson-Hunt to approve the contract with KA-Comm, Inc. for a total anticipated expenditure of \$240,000. The vote was 4-0 in favor.

f. Bid No. 2014-8 new 2014 model year police package motorcycles. A memorandum dated November 13, 2013, was submitted to recommend approval to purchase eight (8) new 2014 model year Harley Davidson motorcycles and manuals from Gail's Harley Davidson for a total cost of \$139,744.

A motion was made by Mayor James with a second by Commissioner Wasson-Hunt to approve the purchase of eight (8) new 2014 model year Harley Davidson motorcycles and manuals from Gail's Harley Davidson for a total cost of \$139,744. The vote was 4-0 in favor.

g. Bid No. 2014-7, new 2014 model year police pursuit vehicles. A memorandum dated November 13, 2013, was submitted to recommend approval to purchase five (5) Ford cargo vans for \$113,965; fifteen (15) Ford sedans for \$360,630; and twenty (20) Ford SUV's for \$524,930 from Dick Smith Ford. The total anticipated expenditure is \$999,525.

A motion was made by Commissioner Rader with a second by Mayor James to approve the purchase of forty (40) new vehicles from Dick Smith Ford for the total anticipated expenditure of \$999,525. The vote was 4-0 in favor.

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h. Bank services renewal. A memorandum dated November 12, 2013, was submitted to recommend approval to renew the contract with UMB at a cost of \$9,933.85. This is a second year renewal that would end on December 31, 2014.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Rader to approve the renewal of the contract with UMB for a total cost of \$9,933.85. The vote was 4-0 in favor.

10. Major Steve Young. Major Young submitted the OCC investigations monthly report dated November 4, 2013. There are currently 23 OCC's under investigation.

a. Private Officers License Appeal, Laron L. Mitchell. The Private Officers Licensing Unit denied the private security license of Mr. Mitchell. The basis for the denial is outlined in Title 17 of the Code of State Regulations, Section 10-2.050 (3) (G) which states the qualifications for a private security license and provides that an applicant may "not have been convicted of a felony or misdemeanor in federal or state court."

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Rader to uphold the denial of a private security license for Laron L. Mitchell. The vote was 4-0 in favor.

11. Ms. Virginia Murray, Office of General Counsel. Ms. Murray submitted a copy of the U.S. Department of Justice, Office for Civil Rights, Compliance Review of the Kansas City Police Department, Docket No. 12-OCR-0273, dated August 15, 2013. She advised that the Office for Civil Rights (OCR) conducted a review of language services at the KCPD. OCR made recommendations related to this issue. Ms. Murray worked with Operations Analyst Mark Russo to develop a plan to implement some of these recommendations and presented them to the Chief and Command staff. The Chief

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and Command staff is in full support. Examples of changes are a more in-depth policy related to bi-lingual services offered by the police department and standardized bi-lingual rolls calls. Ms. Murray will continue to work with Mr. Russo on this project.

12. Audit Committee report. Commissioner Wasson-Hunt said the Audit Committee is currently in the process of determining the scope of the City Auditor's review of the police academy services. She said Mr. Tom Gee has been very helpful in soliciting ideas from other auditors across the United States.

13. Mr. David V. Kenner. Mr. Kenner presented the Patek and Associates, LLC, contract for renewal. Mr. Jewell Patek has asked that his contract be renewed for another year at the same rate as before.

Chief Forté suggested that the Board utilize the services of another lobbyist. He said he would like to hire Mr. Phil LeVota, who is a local attorney and lobbyist.

Commissioner Rader asked how Mr. Patek works in conjunction with Mr. Andy Arnold. Chief Forté said he has never had any contact with Mr. Patek.

Mayor James asked why the police department needs another lobbyist if we are currently utilizing the services of Mr. Arnold. Chief Forté said he wants to hire a lobbyist that he knows and trusts and he has had limited contact with Mr. Arnold. Chief Forté said that at the last Board meeting he suggested that the police department send out an RFP for lobbyists, however, the Board previously approved the renewal of Mr. Arnold's contract.

Commissioner Wasson-Hunt said she would like to meet Mr. LeVota and asked that he come to a Board meeting. She also requested a copy of his resume and a list of his clients.

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Mayor James said he does not understand why the police department needs two lobbyists. Chief Forté said Mr. LeVota has connections and the Chief trusts him. Mayor James said unless there is “clear value added” by utilizing the services two lobbyists, he is going to oppose hiring another lobbyist.

Mr. Kenner thanked Chief Forté and other police department members involved in the groundbreaking ceremony at the new EPD and crime lab site. He said it was a wonderful event.

14. Adjustment to special revenue accounts for fiscal year 2013-14. A memorandum dated November 14, 2013, was submitted which outlines the details of this adjustment. Previously at this meeting this item was tabled for discussion in closed session, the closed meeting was reopened at 10:44 a.m. for discussion of this item.

A motion was made by Commissioner Wasson-Hunt with a second by Commissioner Rader to approve the adjustment to special revenue accounts as presented. The vote was 4-0 in favor.

15. Scheduled meetings.

Tuesday, December 10, 2013

9:00 a.m., Regional Police Academy, 6885 N.E. Pleasant Valley Road, Auditorium, Kansas City

A motion was made by Commissioner Rader, seconded by Commissioner Wasson-Hunt and by vote indicated below, to adjourn its open meeting at 10:24 a.m. and reconvene in closed session at 10:36 a.m. as provided in the following resolution. Following a roll call, the vote was 4-0 in favor.

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RESOLUTION

WHEREAS, notice of the board meeting of the Board of Police Commissioners was given on September 11, 2013, and

WHEREAS, said notice indicated that the Board of Police Commissioners might go into closed session during said meeting, and

WHEREAS, notice of the closed meeting follows the guidelines of Section 610.020 of the Revised Statutes of Missouri.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Police Commissioners go into closed session during the meeting being held on Monday, November 25, 2013, at the Regional Police Academy, 6885 N.E. Pleasant Valley Road, Kansas City, Missouri, for the purpose of discussing personnel matters, litigation matters, and labor negotiations.

The following Commissioners were present and voted to go into closed session as follows:

Commissioner Alvin L. Brooks	-	Aye
Commissioner Angela Wasson-Hunt	-	Aye
Commissioner Michael C. Rader	-	Aye
Mayor Sylvester "Sly" James, Jr.	-	Aye

There being a quorum present and the question of holding a closed session having received an affirmative public vote of at least three (3) members, a closed meeting was held as set forth above.

Below are the votes from the closed session meeting of the Board of Police Commissioners on November 25, 2013:

1) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Rader, the Board voted to approve the minutes of the October 31, 2013, Board meeting. The vote was 4-0 in favor.

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2) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Rader, the Board voted to approve the applications for continue employment by Police Officer John Coupe. The vote was 4-0 in favor.

3) Following a motion by Commissioner Wasson-Hunt and a second by Mayor James, the Board voted to approve the duty-related disability retirement of Detective Brandon Steele. The vote was 4-0 in favor.

4) Following a motion by Commissioner Rader and a second by Commissioner Wasson-Hunt, the Board voted to come out of closed session. The vote was 4-0 in favor. Following polling, Commissioner Rader voted Aye, Commissioner Wasson-Hunt voted Aye, Mayor James voted Aye, and Commissioner Brooks voted Aye.

Commissioner Pelofsky joined the meeting at 11:00 a.m.

5) Following a motion by Commissioner Wasson-Hunt and a second by Mayor James, the Board voted to go back into closed session to discuss litigation matters, labor negotiations and personnel matters. The vote was 5-0 in favor. Following polling, Mayor James voted Aye, Commissioner Rader voted Aye, Commissioner Wasson-Hunt voted Aye, Commissioner Pelofsky voted Aye, and Commissioner Brooks voted Aye.

6) Following a motion by Commissioner Pelofsky and a second by Commissioner Wasson-Hunt, the Board voted to come out of closed session.

The vote was 5-0 in favor. Following polling, Commissioner Rader voted Aye, Commissioner Wasson-Hunt voted Aye, Mayor James voted Aye, Commissioner Pelofsky voted Aye, and Commissioner Brooks voted Aye.

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7) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Rader, the Board voted to go into special closed session to discuss personnel matters. The vote was 5-0 in favor. Following polling, Mayor James voted Aye, Commissioner Rader voted Aye, Commissioner Wasson-Hunt voted Aye, Commissioner Pelofsky voted Aye, and Commissioner Brooks voted Aye.

8) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Rader, the Board voted to come out of special closed session.

The vote was 5-0 in favor. Following polling, Mayor James voted Aye, Commissioner Rader voted Aye, Commissioner Wasson-Hunt voted Aye, Commissioner Pelofsky voted Aye, and Commissioner Brooks voted Aye.

9) Following a motion by Commissioner Wasson-Hunt and a second by Commissioner Pelofsky, the Board voted to adjourn. The vote was 5-0 in favor.

The Board adjourned at 12:09 p.m.

President

Secretary/Attorney